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February 25, 2025

VIA ECF

Hon. Vernon S. Broderick
United States District Court Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

Re: Elena Bugaeva v. Highgate Hotels, L.P., Case No. 1:24-cv-10001-VSB

Dear Judge Broderick:

This firm represents Highgate Hotels, L.P. (“Defendant”) in the above-referenced action. Pursuant to your Honor’s Individual Rules of Practice, I write to respectfully request a stay of case deadlines, including Defendant’s deadline to answer or otherwise respond to the complaint, pending the parties’ upcoming mediation. On December 30, 2024, Plaintiff Elena Bugaeva (“Plaintiff”) filed a putative class action complaint against Highgate Hotels, L.P. On January 7, 2025, Plaintiff served Defendant with the complaint. On January 28, 2025, the Court granted Defendant’s letter motion for extension of time, setting Defendant’s deadline to respond to Plaintiff’s complaint as February 27, 2025. ECF No. 9. This is Defendant’s second request for an adjournment or extension of time. Plaintiff consents to the requested stay of case deadlines.

On January 7, 2025, a closely related action, arising out of the same data security incident alleged in the instant complaint, was filed in this Court, captioned *Rachel Oliver v. Highgate Hotels, L.P.*, Case No. 1:25-cv-00137. On January 16, 2025, a third and closely related action, arising out of the same data security incident alleged in the instant complaint, was filed in this Court, captioned *Catherine Svoboda v. Highgate Hotels, L.P.*, Case No. 1:25-cv-00481. Counsel for Defendant have been actively conferring with Plaintiff’s counsel regarding the best way to streamline the litigation(s), including consolidation of the related cases and the potential for early alternative dispute resolution. As such, the Parties in the related cases have agreed to attend a formal mediation, and are currently determining available dates in May 2025. Subject to court approval, the Parties agree to provide this Court with notice, no later than 7 days from today, of the date of the scheduled mediation.

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Based on the foregoing, and for good cause, Defendant respectfully requests that the Court enter an Order staying all case deadlines, including the time for Defendant to answer or otherwise respond to Plaintiff's complaint. The Parties further agree, subject to Court approval, to file a Joint Status Report with the Court no later than 14 days following the mediation, advising the Court of the status of the settlement, if any.

Respectfully submitted,

/s/ Matthew C. Berger

Matthew C. Berger

SO ORDERED:

A handwritten signature in black ink, reading "Vernon S. Broderick". The signature is written in a cursive, slightly slanted style. The first name "Vernon" is written in a larger, more prominent script than the last name "Broderick". The signature is positioned above a horizontal line.

**HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE**

Date: February 26, 2025

This action, including all of the case deadlines, is stayed because the parties seek to engage in mediation.

The parties shall file a letter by March 7, 2025 notifying me of the date of the scheduled mediation.

The parties shall file a letter, no later than 14 days following the conclusion of the mediation, with a status update regarding potential settlement and consolidation of the various cases.